

Notice of Allowability

Application No.

09/781,162

Examiner

Amee A. Shah

Applicant(s)

SATO ET AL.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Remarks and Amendments filed May 5, 2006, and Examiners Amendment of July 12, 2006.

2. ☒ The allowed claim(s) is/are 1,2 and 4-16.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All: b) ☐ Some* c) ☐ None of the:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20060712.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Magluyan, Esq., on July 12, 2006.

The application has been amended as follows:

In the Title

The title has been changed to:

--Method, system and medium for remotely managing plural image forming apparatuses and plural types of maintenance agreements relating to the apparatuses--.

In the Claims

At claim 1, line 9: "apparatuses" has been replaced with --apparatus--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claim 1:

The prior art of record neither anticipates nor fairly and reasonably teaches a remote managing system for managing plural image forming apparatuses and plural types of maintenance agreements relating to the image forming apparatuses comprising: a receiver that receives information of a number of printed paper sheets output by an image forming apparatus, together with an identifier of the image forming apparatus, via a communication path; a memory that stores a variety of unit prices per paper sheet to be output by each of the image forming apparatuses, wherein each of the variety of unit prices is associated with an identifier of an image forming apparatus and a type of maintenance agreement for the image forming apparatus; and a calculation section that calculates a payable amount for an image forming apparatus having the identifier on the basis of (i) the number of printed paper sheets received by said receiver, associated with the identifier and (ii) a unit price of the variety of unit prices, stored in said memory, associated with the identifier and the type of maintenance agreement for the image forming apparatus (*see claim 1*).

The most closely applicable prior art of record is referred to in the Office Action mailed January 10, 2006, as "Farrell" (U.S. Patent No. 5,383,129). Farrell discloses similar structural components and functionality of receiving the number of printed paper sheets output by an image forming apparatus, storing a variety of unit prices per paper sheet, and calculating a payable

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amount based on the number of printed sheets and a unit price of the variety of unit prices. However, Farrell does not anticipate or fairly and reasonably teach managing plural image forming devices, receiving the number of paper sheets along with an identifier of an image forming apparatus, storing a variety of unit prices associated with an identifier of the image forming apparatus, and calculating a payable amount based on the number of printed sheets associated with the identifier and the unit price associated with the identifier and type of maintenance agreement.

Newly cited U.S. Patent No. 7,061,634 B1 (hereafter referred to as "Ogura") discloses a system and method for supervising image forming apparatuses including a plurality of images forming apparatuses connecting through communication lines to a central control apparatus wherein usage information such as the total number of image formed sheets per image forming apparatus is transmitted to and stored in the central control apparatus (*see* Abstract, Figures 36 and 37, col. 11, lines 35-60, and col. 26, lines 6-15). However, Ogura does not anticipate or fairly and reasonably teach storing a plurality of unit prices per paper sheet or calculating a payable amount for an image forming apparatus based on the usage and the unit price associated with the identifier. Furthermore, it would not have been obvious to one of ordinary skill in the art at the time of invention to have modified the system and method Farrell with the teachings of Ogura to manage a plurality of apparatuses, to receive usage information (i.e. number of printed sheets) per image forming apparatus, and then to calculate a payable amount based on the usage and unit price associated with each identifier.

Newly cited U.S. Patent No. 5,708,909 (hereafter referred to as “Yamashita”) discloses an equipment management system in which electric photocopiers are linked through a network (i.e. a communication path) with a host computer at a maintenance company and another host computer at a lease company wherein data including the copier identification (ID), maintenance agreement information and the total count of copies provided by the copier are transmitted to the maintenance company host computer, and data regarding the total count are transmitted from the maintenance host to the lease company host. However, Yamashita does not anticipate or fairly and reasonably teach storing this data or performing calculations based on the usage and unit prices associated with each device. Furthermore, it would not have been obvious to one of ordinary skill in the art at the time of invention to have modified the system and method Farrell with the teachings of Yamashita to manage a plurality of apparatuses, to receive usage information (i.e. number of printed sheets) per image forming apparatus, and then to calculate a payable amount based on the usage and unit price associated with each identifier.

Claim 7.

Claim 7 recites a remote managing method of calculating a charge for use of each of a plurality of image forming apparatuses by a user. The method comprising the steps consistent with and parallel to the limitations of claim 1. This method is allowable over the prior art for reasons consistent with those identified above with response to claim 1.

Claim 12.

Claim 12 recites an article of manufacture comprising a computer program stored in a computer-readable medium for a remote managing method for calculating a charge for use of each of a plurality of image forming apparatuses by a user. As discussed in the Office Action mailed May 31, 2005, the program is interpreted to be executable by a computer (*see* Specification, page 88, lines 22-23) and is therefore statutory under 32 U.S.C. §101. The medium when executed by a computer causes the computer to perform the method steps for executing commands to perform operations comprising steps which are consistent with and parallel to the limitations of claim 1. This article of manufacturer method is allowable over the prior art for reasons consistent with those identified above with response to claim 1.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Author unknown, "Lexmark Launches MarkTrack Printer Software to Slash Printing Costs," M2 Presswire, Coventry, Sep. 10, 1999, pg. 1, discloses software for managing plural image forming apparatuses that captures information on location, usage and condition of networked apparatuses from a single point.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

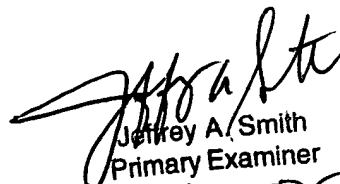
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ameer A. Shah whose telephone number is 571-272-8116. The examiner can normally be reached on Mon.-Fri. 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAS

July 12, 2006


Jeffrey A. Smith
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